

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Rebecca A. Wiseman, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

F051587 Estate of Efrain Costilla, Deceased.

Cause called and argued by Russell K. Ryan, Esq., counsel for appellant and by C. Michael Carrigan, Esq., counsel for respondent.

Cause ordered submitted.

F051430 People v. Dueck

Cause called and argued by Kathleen C. Page, Esq., counsel for appellant. Marcia A. Fay, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until 1:45 P.M.

The court reconvened in its courtroom at 1:45 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Robert Abilez, Senior Deputy Clerk.

F050471 Benedix v. Aquacell Technologies, Inc.

Cause called and argued by Bill R. Benedix, appellant in propria persona and by Sean T. O'Rourke, Esq., counsel for respondent.

Cause ordered submitted.

At this point Levy, J. leaves the bench and is replaced by Gomes, J.

F051832 25 Hill Properties, Inc. v. Charlotte Harris, as Trustee etc.

Cause called and argued by J. Nile Kinney, Esq., counsel for appellant and by Jeffery D. Trowbridge, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, September 21, 2007 at 10:00 A.M.

IN THE

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F050847 People v. Taylor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F050847 People v. Taylor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F051641 People v. Reyna

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F051641 People v. Reyna

Probation condition No. 11 is modified to provide as follows: "Do not use or possess or associate with those known to you to use or possess any controlled substances or narcotics. Submit to drug testing." The trial court is directed to modify the judgment accordingly. As so modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052484 In re Mark C., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F052484** **In re Mark C., a Minor**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051878** **In re Sergio M., a Minor**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F051878** **In re Sergio M., a Minor**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F049480** **People v. Del Rio**
Appellant's petition for rehearing filed herein is denied.
- F049910** **People v. Shadden**
The judgment is affirmed. Wiseman, P.J.
We concur: Cornell, J.; Hill, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051310** **In re Destiny F., a Minor**
The order terminating appellant's parental rights is conditionally reversed and this matter is remanded to the juvenile court for further proceedings. Etc. Vartabedian, Acting P.J.
We concur: Dawson, J.; Kane, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051205** **In re Jerry S. a Minor**
The above-entitled case is submitted for decision.

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- F051205 In re Jerry S., a Minor**
The judgment is affirmed with sentence modifications.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051229 Eriksson et al. v. California State University, Fresno**
The judgment is affirmed. Levy, J.
We concur: Wiseman, Acting P.J.; Gomes, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F050819 People v. Hood III**
The above-entitled case is submitted for decision.
- F050819 People v. Hood III**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F051341 In re Dave R., a Minor**
Counsel having failed to request oral argument in accordance with the provisions of a notice mailed to counsel, the above-entitled case is submitted for decision.

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F051341 In re Dave R., a Minor

The matter is remanded to the juvenile court for the court to (1) determine and declare, in accordance with views set forth in this opinion, the “maximum term of imprisonment ” within the meaning of Welfare and Institutions Code section 731, based on the facts and circumstances that brought appellant before the juvenile court. In all other respects the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052764 In re Lee A. et al., Minors

No brief or request for extension of time having been filed, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F053594 In re Patricia B., a Minor

No response having been filed, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.